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Petitioner:

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Changes Requested in Part 13 & 97

This request for rule change is to address the issue of so called "Export CB / 10 Meter Ham" radios sold to un-licensed person who use the radios on CB frequencies, Ham Frequencies, and Other Service frequencies around the 12 meter and well above the 10 meter ham Band.

The "Export" radios exceeds the frequency - emissions - power output of the Citizen Band, and are not "Type Accepted" or "Type Approved" for use on the Citizen Band in the USA! This makes it illegal to market the radio as a CB, so its marketed as a Ham Radio. The Alleged "Ham" [Amateur Radio] is not allowed to be used in the Citizen Band under current rules and regulations at this time!

In most case the radios will work in various area of between 25 Mhz and 30 Mhz witch is a "HF" section of the various radio services. Some of the "Alleged" - "Export CB's" are used by Hams total legal, but however the vast majority are used by Illegal Stations making hobby and business communications.

Because most of the radio are in nature, modified in some extent to do something illegal in one service or the other, and are sold by the thousands each week in over the counter sales the QRM [harmful interference] to all services including the federal government need's to be resolved!

The FCC made Type Acceptance a issue with Linear some time ago! The change for the future is need in this area a reasonable step resolve some issues. Ham Radios manufactured that work on frequency range from 24 Mhz to 35 Mhz must not area of operation other than authorized to operate under part 97 unless so licensed under another part of the FCC rules!

Any radio manufactured in the 24 Mhz to 35 Mhz range must be manufacture tagged, and certified with also a true serial number and date of mfg. Ham Radio that are only operate in the authorized ham bands and have safeguards to prevent out of band TX will be exempt

Radio operation in the 24 Mhz to 30 Mhz must be changed to reestablish the need for a "Restricted Radio Telephone Permit" or Higher Grade of Commercial radio license or permit by there person who hold a authorized "Station License" issued by the commission. Ham [Amateur Radio Stations & Operators] will be exempt from this rule.

As with the Linear rule changes a few years back the FCC must also state the possession of a "Export Type CB" radio with out a "Station" - "Ham [Amateur], or Operators License of Permit under subparts 13 and lor 97 or other "Authorized" use by license or permit shall be illegal

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Changes in the current "Export CB Radios" to remove the "Voice Changer's" and "Echo Boxes" must be addressed by the commission on future use by Ham's!

The object is to put the Illegal operator who transmits out side of the " C B or "Ham" bands subject to the rules of part 13, and/ or other services where the action and punishment is more harsh! As with the possession of the **Export** CB by a non Ham or other "Un-Authorized operator it become contraband equipment without proof of license.

Thanks

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